

PROJECT PLAN AMENDMENT APPLICATION FOR  
900 ROCKVILLE PIKE

PROJECT DESCRIPTION AND SCOPE  
OF WORK NARRATIVE

The last time that a Project Plan amendment for this property was presented to the Mayor and City Council of Rockville was in April, 2021. At that time, the Applicant's proposal was for a site covering 25,862 square feet of land area on which was located a two story structure of 6,862 square feet in size supported by 33 parking spaces. That plan was presented to the Mayor and City Council with recommendations for approval by the Planning Department and the Planning Commission.

When the application was reviewed by the Mayor and City Council, there was an extended discussion of whether the proposal would be consistent with public improvements for the design and operation of Rockville Pike (State Route 355) which were not yet completed, or even totally determined. Accordingly, City Council action on Project Plan Amendment PJT 2018-00010 was deferred until a stronger showing could be made by the Applicant that its revised design would not inhibit implementation of the ultimate plans for the design and operation of Rockville Pike. Because of the scope of changes to plans for the subject property since April, 2021, the Applicant has withdrawn pending amendment application No. PJT 2018 - 00010 and wishes to pursue of its current plans through this new application.

Since April, 2021, the City Department of Public Works and the City Planning Department have been coordinating with the State Highway Administration and the Montgomery County Department of Transportation to determine what should be the width of the public right-of-way of Maryland Route 355 in order to accommodate the cumulative contemplated public improvements including vehicle drive lanes, turning lanes, bicycle lanes and sidewalks. The point has been reached in the dialogue between these public agencies about what is the necessary right-of-way needed to facilitate these improvements, and, hence, what is the amount of dedication of private land required to allow for unhindered implementation of these listed public improvements.

This Project Description and Scope of Work narrative is intended to describe the Applicant's current Project Plan Amendment proposal and to address the issues highlighted during the presentation to the Mayor and City Council in April, 2021 that caused deferral of consideration of the original amendment Application. Following is an analysis of the elements of the Applicant's new proposal and its compliance with City requirements including a single request for a waiver where necessary.

## **A. ANALYSIS OF SITE FEATURES**

### **1. RIGHT OF WAY WIDTH OF ROCKVILLE PIKE**

The factor that most dictates what the design of new development at 900 Rockville Pike will look like is the width of the public right-of-way abutting the site. That figure determines how much right-of-way will be required by dedication through the development review process. The amount of land area that will be dedicated to public ROW will then determine the remaining net lot size available for development.

The plan that was presented to the Mayor and City Council in April, 2021 assumed a property line, and a building footprint set on the property line, being 73 feet from the centerline of Rockville Pike. That amount of right-of-way would accommodate a) three through drive lanes on Rockville Pike, b) a right turn lane to eastbound Edmonston Drive, and c) a 10 foot shared use path (combination sidewalk and bike path). As noted earlier in this Project Description, the Mayor and City Council were not comfortable that this configuration would provide the maximum public benefits that the City wanted to achieve in this stretch of Rockville Pike.

City planners and Public Works officials have advised the Applicant that SHA and MCDOT have finally concluded that the necessary width of Rockville Pike on the east side of the roadway adjacent to the subject property must be at least 93 feet from the centerline of the Pike. Within that distance must be located; a) three through drive lanes on the Pike, b) a right turn lane to eastbound Edmonston Drive, c) an 8 foot wide “cycle track”, and d) a 7 foot wide sidewalk. Items (c) and (d) comprise a 15 foot “shared use path”.

### **2. NET LAND AREA AVAILABLE AFTER DEDICATION**

To create the right-of-way land area dictated by the public agencies, the Applicant must dedicate 6,523 square feet of area (0.15 acre, 25.2% of existing lot area) to public use. Said dedication reduces the size of the site from 25,862 (0.59 acre) to 19,339 square feet (0.44 acre). This additional dedication of land area has caused a decrease in the building envelope of the site and has increased the constraints on the development potential of this parcel of land.

### **3. BUILDING PROPOSAL**

The reduction in net land area available for development due to required dedication affects the size of the retail building proposed to be located on the subject property. In 2021, the Applicant had hoped to construct a 6,862 square foot building on the site. In order to accommodate the public facilities to be installed in the to-be-dedicated right-of-way, the Applicant now proposes a building set on the new post-dedication property line, 93 feet from the centerline of Rockville Pike, containing 4400 gross square feet of area, a reduction of 2,462 square feet from the Applicant’s 2021 proposal.

### **4. PARKING PROPOSAL**

Similarly, proposed parking has been reduced due to the more constrained size of the lot and the reduced need for parking spaces due to a smaller building envelope. The plans to which this Statement is attached show that 25 parking spaces are provided, being a reduction of 8 spaces from the 2021 proposal with 33 spaces viewed by the Mayor and City Council.

## **5. OPEN SPACE COMPUTATIONS**

Pursuant to Section 25.13.05.b of the Rockville Zoning Ordinance, a site within the Rockville Pike Neighborhood Plan area containing less than 20,000 square feet of area must provide 15% public use space and 15% open area space. This revised Project Plan Amendment Application provides open space and public use space in the following amounts shown on Table 1. These amounts exceed the minimum Zoning Ordinance standards.

TABLE 1

	Required/Allowed	Proposed
Open Area	15% (2,900 SF)	15.4% (2,984 SF)
Public Use Space	15% (2,900 SF)	34% (6,617 SF)

## **6. WAIVERS REQUESTED**

Pursuant to Section 4.d.2 of the Rockville Landscaping, Lighting and Screening Manual, a landscape strip should be located adjacent to a street right-of-way. This code section requires a 10 foot planting strip. The Applicant can provide only 8 feet for planting where the proposed building does not abut the public right-of-way. The justification for this requested waiver of up to 2 feet is as follows:

- A. As a result of WMATA's easement for the Metro rail line along the east side of the subject property, and the required dedication of right-of-way for Rockville Pike along the property's western frontage, 900 Rockville Pike is one of the narrowest parcels of land on the east side of Rockville Pike, and suffers from a highly constrained building envelope. A modest reduction in the width of the required planting strip from 10 feet to 8 feet will eliminate the pressure to reduce the width of on-site drive lanes thus improving vehicular circulation.
- B. Recognizing that the width of the planting strip is requested to be narrowed, the Applicant has proposed a robust landscaping program within the available planting area. The Landscape Plan (Sheet L2.01) in the Applicant's submission shows a generous volume of plantings that through their number and spacing will create a valuable screen between the site's parking spaces and the adjacent public rights-of-way. The rich planting of shade trees (willow oak), ornamental trees (hornbeam), and shrubs (laurel, summersweet, weigela) more than compensates for the reduced width of the planting strip.
- C. It is interesting, and important, to note that the last 21 months of collaboration between the Applicant and the City has resulted in the elimination of waivers for a) perimeter landscaping requirements along the east (metro) side of the site, b) build-to-line, c) building restriction line, d) one parking space and e) approval of a "fee in lieu" for a portion of the public use space requirement, all of which were part of the Applicant's 2021 Amended Project Plan proposal.

## **7. COMPLIANCE WITH ZONING ORDINANCE STANDARDS**

### **A. MASTER PLAN COMPLIANCE**

This property is located within the Middle/North Pike – East area of the 2016 Rockville Pike Neighborhood Plan (“Plan”). While the Plan makes no specific recommendation affecting the land use of the subject property, it does encourage the siting of buildings as close as possible to the street. The current proposal places the intended one-story retail building on much of the property line creating a “street wall” along the publicly traveled right of way serving vehicular, bicycle and pedestrian traffic.

### **B. MIXED USE DEVELOPMENT STANDARDS**

This revised Project Plan Amendment application complies with Zoning Ordinance Sections 25.13.05 and 25.13.06 as shown in Figure 3 and other text below.

TABLE 2

<b>Category</b>	<b>Requirement</b>	<b>Proposed by the Site Plan</b>
<b>Building Height</b>	Max of 75’	Approximately 26 Feet
<b>Open Area</b> (% of net lot area)	15% (2,900 SF)	15.4% (2,984 SF)
<b>Public Use Space Within Open Area</b> (% of net lot area)	15% (2,900 SF)	34% (6,617 SF)
<b>Setbacks</b>		
Building Restriction Line (per Section 25.17.08.b.3(a))	0’	0’
Side (MXCD abutting)	0’ or 10’ Min	150’
Rear (WMATA abutting)	0’ or 10’ Min	15’
<b>Layback Slope</b>	Not applicable per Section 25.13.05.b.2(d)iv.	Not applicable per Section 25.13.05.b.2(d)iv.

#### *Section 25.13.06.b – Aesthetic and Visual Characteristics*

- The architectural design and materials used for the proposed commercial/retail building will provide visual interest at the street level which enhances the pedestrian experience. A conceptual building elevation has been provided as part of the submission materials with oversized storefront glass.
- The following items will not be located along a public street; Window and wall air conditioners, electric utility meters, air conditioning compressors and irrigation and pool pumps.
- The principle customer entryway(s) will be designed in an aesthetically pleasing manner, providing “highly visible” customer entrances that are clearly indicated by signage.
- Rooftop mechanical units will be appropriately screened.

*Section 25.13.06.c – Sign design and Relationship to Surrounding Community*

- A board on board fence enclosed trash dumpster area will be appropriately screened as required.
- A Concept Landscape Plan is included with this Project Plan Amendment application which provides details in regards to the project's compliance with the City's *Landscape, Screening and Lighting* manual.

**C. THIS PROJECT SATISFIES ALL OTHER APPLICABLE CITY LAWS**

*Adequate Public Facilities* – The property will be served by adequate public facilities as follows:

- **Water and Sewer:** Public sewer and water service is available and has capacity to serve the proposed use. No water or sewer authorization from the City is necessary to be obtained because the amendment represents a reduction in the water and sewer demand from the previously approved Project Plan for the property.
- **Roads:** A full traffic study is not required for this project as the proposed use is projected to generate less than 30 net new peak hour trips.
- **Utilities:** Electric and gas service connections are proposed at the distribution lines in the right-of-way immediately adjacent to the property line.
- **Schools:** The proposed retail/commercial use will have no impact on schools.

*Signage* – Signage for the proposed commercial/retail center will be provided in accordance with Zoning Ordinance Section 25.18.14.

**CONCLUSION**

This proposed retail center provides the opportunity to convert a vacant unimproved lot into an active use that will serve the needs of the residents of Rockville and travelers on Rockville Pike. The architectural design of the facility will help transform and hopefully spur additional future development along this aging section of Rockville Pike.

The subject Project Plan Amendment satisfies all of the required findings of Section 25.07.01.b.2 in that it:

1. Does not adversely affect health or safety of persons residing or working in the neighborhood;
2. Is not in conflict with the area Master Plan;
3. Will not overburden existing and programmed public facilities as provided in the adopted Adequate Public Facilities Standards;
4. Will not constitute a violation of any provision of this chapter or of other applicable law; and
5. Will not adversely affect the natural resources or environment of the City or surrounding areas.

6. Will contribute to the improvement of Rockville Pike to carry vehicular, bicycle and pedestrian traffic.

For the reasons set forth herein, the Applicant urges the Mayor and Council's approval of this Project Plan Amendment application.

Respectfully Submitted,

MILLER, MILLER & CANBY

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